

### REMARKS

Claims 1-18 and 21-28 were pending as of the action mailed on October 17, 2006.

Claims 1, 14, 21 and 22 are independent. Reconsideration and allowance of the above-referenced application are respectfully requested in light of the following remarks.

### **Interview Summary**

The applicant kindly thanks the examiner for the courtesy of an interview conducted on January 9, 2007. The applicant's representative Daniel Burns and examiner Michael Meucci participated in the interview. Daniel Burns was assisted by James Chisan. Claim 1 was discussed with respect to the cited reference Zdybel. In particular, the applicant noted that art of record does not disclose or suggest "selecting a byte pattern based on a character encoding format," as recited by claim 1. The examiner agreed that art of record does not disclose or suggest this feature. The examiner indicated that, upon receipt of this response, the examiner would discuss allowance of the application with the primary patent examiner. No agreement was reached.

### **Rejections**

Claims 1-2, 4, 6-8, 10-13, 23-25 and 27-28 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Stent (U.S. Pat. No. 5,778,359) in view of Backlund (OOE: A Compound Document Framework) and Zdybel (U.S. Pat. No. 5,486,686).

Claims 14-16 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Stent in view of Lonnroth (U.S. Pat. No. 6,826,597 B1) and Zdybel.

Claims 17-18 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Stent and Lonnroth in view of Backlund.

Claim 21 stands rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Backlund in view of Stent and Zdybel.

Claim 22 stands rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Backlund in view of Stent.

Claim 3 stands rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Stent and Backlund in view of Erickson (U.S. Pat. Pub. No. 2004/0210535) and Parks (U.S. Pat. No. 6,850,228).

Claim 5 stands rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Stent and Backlund in view of Parks.

Claims 9 and 26 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Stent and Backlund in view of Walsh (6,810,429).

### **Section 103 Rejections**

Claim 1 stands rejected as being allegedly unpatentable over Stent in view of Backlund and Zdybel.

The examiner's rejections repeat the rejections previously stated except that the examiner concedes that Stent does not explicitly teach "generating packing data includes selecting, based on the character encoding format of the foreign data block, a byte pattern that indicates a presence of a header, and including the byte pattern in the packing data." To remedy this deficiency the examiner asserts that Zdybel discloses this feature. The applicant's response to the examiner's previously stated rejections can be found in the brief on appeal filed 19 of May, 2006. With respect to the examiner's current rejection, which now hinges on Zdybel, the applicant respectfully disagrees.

Zdybel concerns the interchange of electronic documents between systems, particularly systems that include both human-readable hardcopy mediums and digital electronic mediums. *See* Field of The Invention. The portions of Zdybel relied upon by the examiner disclose that electronic documents can be specified in a "plain text ASCII encoding" to support interchange, but that "other encodings can provide fuller structural representations of electronic documents." *See* col. 1, lines 48-51. Zdybel notes that these other encoding formats can include "control codes for supplementing ASCII encodings with variables defining logical structure (i.e., the sections paragraphs, sentences, figures, figures captions, etc.) of electronic documents" and thereby permits formatting the document "in accordance with selected formatting variables,"

such as “font sizes, line and paragraph spacing, margins, indentations,” and so on. *See* col. 1, lines 54-62. The selected formatting variables in Zdybel identify typographical structures in a text document; they do not select a byte pattern indicating the presence of a header for a foreign data block, as recited in claim 1. Moreover, the applicant submits that Zdybel’s formatting variables are selected by the document’s author, just as any author would ordinarily craft the typographical layout of their document, whether electronic or otherwise – the selecting disclosed by Zdybel is not based on a particular character encoding of a foreign data block. Accordingly, the cited portions of Zdybel do not disclose or suggest selecting a byte pattern, which indicates a presence of a header, based on the character encoding format of a foreign data block, as recited in claim 1.

The relied upon portions of Backlund do not remedy the deficiencies in Zdybel and Stent. Instead, Backlund discloses that image data contains data used to render an embedded object. *See* p. 3, § Basic Storage. Document data contains the internal structures of the embedded object. Assuming for argument’s sake that embedded objects in Backlund are the same as foreign data blocks, these portions of Backlund do not teach or suggest generating packing data that describes characteristics of the foreign data block. Not surprisingly, therefore, Backlund also does not teach or suggest, as a part of generating said packing data, selecting a byte pattern, which indicates a presence of a header, based on the character encoding format of a foreign data block, as recited by claim 1.

Accordingly, claim 1 as well as claims 2-13, which depend from claim 1, are in condition for allowance.

Claim 14 stands rejected as being allegedly unpatentable over Stent in view of Lonnroth and Zdybel.

The examiner’s rejections repeat the rejections previously stated except that the examiner concedes that Stent does not explicitly teach “scanning byte to byte for a byte pattern that indicates a presence of a header and when the byte pattern is found, determining a character encoding format of the header” To remedy this deficiency the examiner asserts that Zdybel discloses this feature. The applicant disagrees.

Zdybel distinguishes between different document encodings (e.g., ASCII, document description languages and page description languages) for defining the logical structure of electronic documents. *See* col. 1, lines 48-56. The relied upon portions of Zdybel merely disclose that multiple document encodings exist. Even if, for argument sake, the examiner assumes that document encodings are the same as character encodings, Zdybel does not disclose or suggest “determining a character encoding format,” as recited in claim 14.

Lonnroth discloses a system for a mobile phone to communicate with a gateway computer over a network. *See* col. 3, line 36 – col. 3, lines 6, and FIG. 2. The system allows mobile phones to retrieve data from data sources that do not necessarily support the same protocols and formats as the mobile phones. *See* col.3, lines 14-19. However, the relied upon portions of Lonnroth do not disclose or suggest “determining a character encoding format,” as recited in claim 14, and thus fail to remedy the deficiencies of Stent and Zdybel.

Accordingly claim 14 as well as claims 15-18, which depend from claim 14, are in condition for allowance.

Claims 17 and 18 stand rejected as being allegedly unpatentable over Stent, Lonnroth and Backlund. Claims 17 and 18 depend from claim 14. As set forth above, claim 14 is not obvious in view of Stent and Lonnroth (as well as Zdybel). The relied upon portions of Backlund fail to remedy the deficiencies in Stent, Lonnroth and Zdybel. Accordingly, the applicant respectfully submits that claims 17 and 18 are allowable.

Claims 19 and 20 stand rejected as being allegedly unpatentable over Backlund and Stent. The rejection of claims 19 and 20 is moot, as these claims are canceled.

Claim 21 stands rejected as being allegedly unpatentable over Backlund and Stent, however the examiner's rejection of claim 21 follows the rejection of claim 1 and relies on portions of Zdybel. Claim 21 includes the aforementioned feature of claim 1. Accordingly, for the reasons set forth in reference to claim 1, Zdybel does not overcome the deficiencies of Stent in combination with Backlund with respect to claim 21. The applicant submits that claim 21 as well as claims 23-28, which depend from claim 21, are in condition for allowance.

Claim 22 stands rejected as being allegedly unpatentable over Backlund and Stent. Although the examiner's rejection of claim 22 is unchanged since the examiner's previous Office Action, the examiner presumably intended to reject claim 22 similarly to claim 21 as claim 22 corresponds to claim 21. Accordingly, for the reasons set forth in reference to claim 21, Zdybel does not overcome the deficiencies of Stent in combination with Backlund with respect to claim 22. The applicant submits that claim 22 is in condition for allowance.

Claim 3 stands rejected as being allegedly unpatentable over Stent, Backlund, Erickson and Parks. Claim 3 depends from claim 1. As set forth above, claim 1 is not obvious in view of Stent and Backlund (as well as Zdybel). Moreover, the relied upon portions of Erickson and Parks fail to remedy the deficiencies in Stent, Backlund and Zdybel. Accordingly, the applicant respectfully submits that claim 3 is in condition for allowance.

Claim 5 stands rejected as being allegedly unpatentable over Stent, Backlund and Parks. Claim 5 depends from claim 1. As addressed above, claim 1 is not obvious in view of Stent and Backlund (as well as Zdybel). Moreover, the relied upon portions of Parks fail to remedy the deficiencies in Stent, Backlund and Zdybel. Accordingly, the applicant respectfully submits that claim 5 is in condition for allowance.

Claim 9 and 26 stand rejected as being allegedly unpatentable over Stent, Backlund and Walsh. Claim 9 depends from claim 1 and claim 26 depends from claim 21. As set forth above, claims 1 and 21 are patentable in view of Stent and Backlund (as well as Zdybel). And the relied upon portions of Walsh fail to remedy the deficiencies in Stent, Backlund and Zdybel. Accordingly, the applicant respectfully submits that claims 9 and 26 are in condition for allowance.

### Conclusion

By responding in the foregoing remarks only to particular positions taken by the examiner, the Applicant does not acquiesce with other positions that have not been explicitly addressed. In addition, the Applicant's arguments for the patentability of a claim should not be understood as implying that no other reasons for the patentability of that claim exist.

The Applicant respectfully requests that all pending claims be allowed. Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

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